

KATHY CASTOR
11TH DISTRICT, FLORIDA

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON COMMERCE, TRADE, AND
CONSUMER PROTECTION

SUBCOMMITTEE ON COMMUNICATIONS,
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COMMITTEE ON
STANDARDS OF OFFICIAL CONDUCT

DEMOCRATIC STEERING AND
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www.castor.house.gov

Congress of the United States

House of Representatives

Washington, DC 20515-0911

September 9, 2010

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

RE: Resource Conservation and Recovery Act and Fly Ash Designation

Dear Ms. Jackson:

Constituents in my district have raised concerns regarding the current rule-making process concerning how to designate fly ash in the Resource Conservation and Recovery Act (RCRA). Our local companies and the Port of Tampa favor federal standards for fly ash disposal, but they are concerned over the "special waste" designation because it could impede the beneficial recycling of fly ash. It is my understanding that under subtitle C of RCRA, which establishes the federal program that would oversee hazardous waste, fly ash would be considered "special waste" within this section.

Florida, my home state, faces unique challenges and opportunities concerning coal ash. It has some of the most rigorous regulation for fly ash in the country. Special precautions have been established to line and levy fly ash holding ponds to ensure groundwater quality. Innovative Florida companies are recycling this byproduct to make concrete stronger and more durable which keeps fly ash out of landfills, reduces construction-side carbon emissions, and improves air quality. Recycling and creating exports and jobs should be considered paramount.

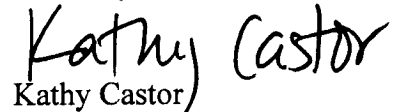
Twelve thousand tons of fly ash are exported for recycling each month out of the Port of Tampa, which is located in my district. Coal combustion products (CCP), which include fly ash, represent a nationwide economic impact of over \$6 billion when they are utilized in a beneficial manner, and over \$400,000 is saved by avoiding the need for disposal.

Fly ash recyclers are rightfully concerned over the proposed "special waste" designation. Because this designation is within the hazardous material subtitle of RCRA, some are worried that designation, of any kind, within subtitle C will bring a stigma to fly

ash and impede recycling. And as many other countries look to the United States' standards to determine their country's use of fly ash, American exporters may encounter difficulty.

I respectfully request that careful consideration be given to the benefits that come with recycling fly ash.

Sincerely,

A handwritten signature in black ink that reads "Kathy Castor". The signature is written in a cursive, flowing style. The "K" is large and loops around the "a", and the "Castor" part is also cursive and connected to the first part.

Kathy Castor
United States Representative
Florida District 11

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11TH DISTRICT, FLORIDA

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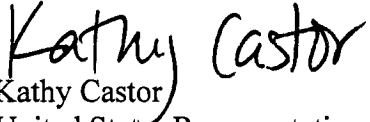
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